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August 11, 2023

Via CM/ECF

The Honorable Analisa Torres
 U.S. District Court for the Southern District of New York
 Daniel Patrick Moynihan U.S. Courthouse
 500 Pearl Street
 New York, NY 10007

Re: *Goodman v. Bouzy, et al.*, Case No. 1:21-cv-10878-AT-JLC

Dear Judge Torres:

I represent Benjamin Wittes and Nina Jankowicz (collectively, “Defendants”) in the above-captioned matter and write regarding Plaintiff Jason Goodman’s Motion for Reconsideration. *See* ECF Nos. 250, 251. As an initial matter, Plaintiff’s filing violates this Court’s order enjoining Plaintiff “from filing additional documents on the docket relating to” Mr. Wittes or Ms. Jankowicz. *See* ECF 238 at 8. Defendants therefore do not believe that a responsive pleading to Plaintiff’s Motion for Reconsideration is necessary, as Plaintiff’s Motion was improperly filed against Defendants.

Defendants note, however, that Plaintiff’s Motion for Reconsideration does not identify “an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice.” *Kolel Beth Yechiel Mechil of Tartikov, Inc. v. YLL Irrevocable Tr.*, 729 F.3d 99, 104 (2d Cir. 2013). Instead, Plaintiff’s arguments as to Defendants merely recycle the same baseless objections that this Court already squarely considered and rejected,¹ and otherwise fail to identify any new legal or factual basis to justify reconsideration.² If the Court determines, however, that Plaintiff’s Motion for Reconsideration was appropriately filed and that a responsive pleading from Defendants would be helpful in assisting the Court’s consideration, Defendants would be happy to submit a more fulsome response.

¹ Compare Plf.’s Obj. to R&R, ECF No. 212 at 5-6 (claiming a 2016 email corroborated Plaintiff’s allegations) with Order Adopting R&R, ECF No. 238 at 6 (dismissing this email as “entirely unrelated to this case” and having “no bearing on whether Goodman has stated a claim for fraud, defamation, abuse of process, civil conspiracy, or RICO violations) and Plf.’s Mot. for Reconsideration, ECF No. 251 at 8 (attempting to justify Plaintiff’s reliance on the email merely because he discovered it in 2023).

² Compare Plf.’s Opp. to Defs.’ Mot. for Sanctions, ECF No. 183 at 8 (arguing Defendants’ requested filing injunction was improper because Plaintiff’s complaint “has not been vexatious or without good cause”) with Plf.’s Mot. for Reconsideration, ECF No. 251 at 9 (again claiming the injunction is inappropriate because Plaintiff’s suit “is not meritless, frivolous, or vexatious”).

Thank you for your consideration of this matter.

Respectfully submitted,

ALI & LOCKWOOD LLP

By: /s/ Elizabeth C. Lockwood
Elizabeth C. Lockwood

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of August, 2023, I caused true and correct copies of the foregoing letter to be served electronically via ECF on the following:

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I additionally certify that on the 11th day of August, 2023, I caused true and correct copies of the foregoing letter to be served via email and U.S. Mail First Class on the following:

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By: /s/ Elizabeth Lockwood